

United States District Court
Southern District of Texas
FILED

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

JAN 22 2019

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

David J. Bradley, Clerk

David Trevino-Fierro

PRINCIPAL

Case Number:

YOB: 1991

M-19-0150 -M

Mexico

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 21, 2019 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Jerry Noel Treminio-Gomez and Wilmer Ernesto Jaime-Altamirano, both citizens and nationals of Nicaragua, along with four (4) other undocumented aliens, for a total of six (6), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Los Ebanos, Texas to the point of arrest near Los Ebanos, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On January 21, 2019, Border Patrol Agents were conducting ground surveillance near the Rio Grande River in Los Ebanos, Texas. An agent conducting surveillance observed approximately seven subjects crossing on a raft into the United States. The agent relayed this information to nearby agents as well as a camera operator. While scanning, the camera operator observed six subjects running towards a property gate located off Heriberto Garza St. Prior to observing the subjects, the camera operator had observed a black sedan parked near this location and relayed the vehicles description to responding agents. Responding agents encountered a black Chrysler 300 parked at the intersection of Felix Martinez and Heriberto Garza Street. Agents made contact with the occupants and identified themselves. The driver, later identified as David Trevino-Fierro, and six additional occupants were all found to be illegally present in the United States. All subjects were transported to the McAllen Border Patrol Station for processing.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by David A. Lindemuth
1/22/19

Sworn to before me and subscribed in my presence,

January 22, 2019

Date

2:47 PM at

Jon M. Chan

Senior Patrol Agent

Printed Name of Complainant

McAllen, Texas

City and State

Peter E. Ormsby

U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-19- 0150 -M

RE: David Trevino-Fierro

CONTINUATION:

Principal Statement

David Trevino-Fierro was read his Miranda Rights. He understood his rights and provided a sworn statement.

Trevino, a citizen of Mexico, stated he has picked up people twice before. The amount he gets paid depends on the number of people that he picks up, but that usually it would be \$350 per person. Trevino stated that for this smuggling attempt, he was going to get paid \$500 for each person he picked up. Trevino also admitted that he knew it was illegal to pick up the people. Trevino claimed that someone from Mexico called him and he was told to pick up three subjects, but when he arrived, six subjects boarded his vehicle.

Material Witnesses

Jery Noel Treminio-Gomez and Wilmer Ernesto Jaime-Altamirano were read their Miranda Rights. Both understood their rights and each provided a sworn statement.

Treminio, a citizen of Nicaragua, stated that he crossed the Rio Grande River during the early morning hours of January 21, 2019. Treminio stated that he made his smuggling arrangements and had already paid 5,000 Mexican pesos to cross the river. Treminio stated that he crossed the river along with five (5) other subjects. Upon crossing the river, Treminio stated that he ran a short distance before loading into a vehicle. Prior to loading into the vehicle, Treminio remembers being the third (3rd) person to board and that he heard someone say "get in".

Jaime, a citizen of Nicaragua, stated that he crossed the Rio Grande River during the early morning hours of January 21, 2019. Jaime stated that he and his family made his smuggling arrangements and had already paid \$7,000. Jaime stated that he crossed the river on a raft. Prior to crossing the Rio Grande River, Jaime was given instructions to board a black vehicle upon crossing into the United States. Jaime stated that once they crossed the river, they ran towards a gate where they saw a black four (4) door vehicle waiting and boarded it.